

Message Text

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11

ORIGIN ARA-20

INFO OCT-01 EUR-25 ISO-00 PM-07 L-03 DLOS-07 CIAE-00

INR-11 NSAE-00 RSC-01 COA-02 SS-20 NSC-07 SP-03 /107 R

DRAFTED BY DOD/ISA - CAPTAIN GOODEN:LH

APPROVED BY ARA/CAR - MR. BURKE

L/PM - MR. BOREK

PM/ISO - MR. PAZSTALAMIEC

T/LOS - MR. ESKIN (SUBS)

ARA/CAR - MR. WAUCHOPE

DOD/GC - MR. ALLEN

DOD/ISA/FMRA - MR. BARRINGER

DOD/ISA - GWALLACE

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R 302253Z AUG 74

FM SECSTATE WASHDC

TO AMEMBASSY NASSAU

INFO AMEMBASSY LONDON

C O N F I D E N T I A L STATE 191879

E.O. 11652: GDS

TAGS: MARR, BF, US

SUBJECT: BASE NEGOTIATIONS: AUTECH - OVERLAP OF SEABED

REF: (A) NASSAU 1177; (B) STATE 172019; (C) NASSAU

375

1. (C) REF A ADDRESSED SEABED SOUGHT BY USG AND OVERLAPPING OCEAN INDUSTRIES LEASE. REF B PROVIDED INITIAL COMMENTS AWAITING RECEIPT OF COPY OF LEASE.

2. (C) LEASE HAS BEEN RECEIVED, LESS PAGES 6 AND 7. FOLLOWING HAS BEEN DETERMINED. MORE MAY COME TO LIGHT UPON RECEIPT OF MISSING PAGES.

3. (C) IT IS APPARENT THAT UK CROWN LEASES 428 AND 456 PROVIDE CONFLICTING RIGHTS TO OVERLAPPING AREAS. LEASE 456, THE OCEAN INDUSTRIES LEASE, DATED 13 DEC 68, WAS
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INITIALLY EFFECTIVE IN NOV 65, MORE THAN 8 MONTHS AFTER

THE EFFECTIVE DATE OF LEASE 428, THE AUTEC LEASE. UNLESS MOD AGREED TO LEASE 456 (CONTRARY TO ITS OBLIGATIONS TO USN), THE LATTER WOULD APPEAR UNENFORCEABLE IN THOSE AREAS COVERED BY LEASE 428.

4. (C) ANY SEABED MINING OR EXPLORATION CONDUCTED IN PROXIMITY TO THE AUTEC SITES, RANGES AND SEABED LEASED AREAS WOULD SIGNIFICANTLY INCREASE THE NOISE LEVEL AND CORRESPONDINGLY DEGRADE AUTEC CAPABILITY. THIS WAS REASON

FOR EXPANDING THE SEABED AREA REQUIRED FOR EXCLUSIVE USE BY THE US BEYOND THE AREAS PROVIDED UNDER LEASE 428. THE RIGHTS GRANTED OCEAN INDUSTRIES UNDER LEASE 456 COULD BE EXERCISED AT ANY TIME AND THEREFORE JEOPARDIZE VITAL US NAVY AUTEC PROGRAMS IN THE NEAR FUTURE AND FOR THE NEXT 15 YEARS.

5. WHILE UNENFORCEABILITY OF LEASE 456 INSOFAR AS IT PURPORTS TO CONVEY INTEREST IN SAME AREA COVERED BY PRIOR LEASE 428 SEEMS CERTAIN, REMAINDER OF AREA COVERED BY LEASE 456 IS UNDER PRESUMABLY OTHERWISE VALID LEASE, AND HENCE PART OF IT WOULD CONFLICT WITH AREA OF EXCLUSIVE SEABED USE REQUESTED BY USG FOR AUTEC PURPOSES AND DESCRIBED REF (C). IN OUR VIEW, THIS OVERLAP BETWEEN LEASE 456 AND PROPOSED AREA OF EXCLUSIVE USG SEABED USE PRESENTS PROBLEM WHICH MUST BE RESOLVED TO PROTECT VERY IMPORTANT US DEFENSE INTERESTS. IT DOES APPEAR, HOWEVER, THAT OCEAN INDUSTRIES NOT INTERESTED IN DEVELOPING AREA OF OVERLAP AND HENCE MAY BE PERSUADED TO RELINQUISH ITS RIGHTS IN THAT AREA. ACCORDINGLY, EMBASSY REQUESTED TO RAISE THIS PROBLEM WITH GCOB, IN THE CONTEXT OF THE FA-

CILITIES NEGOTIATIONS. AT THAT POINT YOU SHOULD REQUEST THAT GCOB APPROACH OCEAN INDUSTRIES WITH VIEW OF GETTING OCEAN INDUSTRIES TO RELINQUISH RIGHTS OVER SEABED AREAS INTENDED FOR EXCLUSIVE USE BY USG. KISSINGER

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